



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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April 13, 2016

Ref: ENF-L

SENT VIA ELECTRONIC MAIL

Mr. Kevin Murray
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, Utah 84101

Re: Richardson Flat and Uintah Mining District Sites, April 4, 2016 Letter from United Park City Mines

Dear Mr. Murray:

This letter is in response to the April 4, 2016 letter from United Park City Mines (UPCM) requesting a meeting on May 18, 2016 to discuss UPCM's proposed business plan and other outstanding issues at the Richardson Flat and Uintah Mining District Superfund Sites.

EPA first sent a request for information and notice of intent to file liens on January 26, 2016. On February 19, 2016, UPCM wrote to EPA asking to suspend the information request and liens, and proposing to present a business plan. The February 19, 2016 letter indicated that UPCM could provide such plan within sixty days. Discussion between EPA and UPCM ensued, and on March 11, 2016, EPA indicated a willingness to grant a thirty day extension of time to respond to the January 26, 2016 request for information, as well as meet informally with UPCM to discuss outstanding issues at the above-mentioned Sites. On March 18th, UPCM again requested more time to draft a business plan. In response, EPA agreed to a sixty day extension of time to respond to the information request, well beyond the initial thirty day extension offered. EPA also requested that UPCM propose meeting times prior to the May 2, 2016 due date to discuss issues at the Sites.

Now, over 70 days have passed since UPCM received the information request and notice of intent to file liens. EPA cannot continue to accommodate UPCM's delay. As stated in my March 25, 2016 letter to you, EPA is willing to meet with UPCM before May 2, 2016, in order to discuss issues at the Richardson Flat and Uintah Mining District Sites, including but not limited to information requests, liens, outstanding oversight billing, and UPCM's proposed path forward.

With respect to the oversight billing, I remind you that, in accordance with Paragraph 77(b) of the Administrative Order on Consent for OU2/3 of the Richardson Flat Site, UPCM must establish an interest bearing escrow account and remit to that escrow funds in the amount of \$289,555.29 and provide EPA with copies of documents evidencing such action. Please provide this information to EPA immediately. EPA does not waive and reserves its right to assess stipulated penalties for UPCM's

failures to comply with the requirements of the AOC, and for penalties associated with any failure to respond to the above-mentioned information request.

I again invite you to propose dates for a meeting within the timeframe discussed above. Please contact me at your earliest convenience. I can be reached at 303.312.6410.

Sincerely,



Amelia Piggott
Enforcement Attorney
U.S. EPA Region 8

cc: Andrea Madigan, ENF-L
Scott Wilder, ENF-RC
Kelcey Land, ENF-RC
Kathryn Cerise, EPR
Marty McComb, EPR

